

REMARKS/ARGUMENTS

This Amendment is submitted in response to the Office Action mailed May 27, 2004. At that time claims 1 and 3-31 were pending in the application. The Examiner allowed claims 18-31 and indicated that claims 7-8 and 15-17 would be allowable if rewritten in independent form. However, the Examiner rejected claims 1, 3-6 and 9 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,457,744 to Tonooka (hereinafter "Tonooka"). Claims 10-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tonooka in view of U.S. Patent No. 6,474,684 to Ludwig et al. (hereinafter "Ludwig"). The Examiner also objected to the drawings under 37 C.F.R. §1.83(a).

By this Amendment, claim 1 has been amended. Claim 16 has been cancelled. The specification has been amended to add reference numerals 93 and 94, corresponding to the features of the instrument panel depicted in amended Figure 2. The drawings have been amended in response to the Examiner's objection to the drawings under 37 C.F.R. §1.83(a) and in conformity with MPEP §2163.06. Accordingly, claims 1, 3-15, and 17-31 are presented for reconsideration by the Examiner.

ALLOWABLE CLAIMS

In addition to allowing claims 18-31, the Examiner indicated that claims 7-8 and 15-17 would be allowable if rewritten in independent form. Accordingly, claim 1 was amended to recite the limitation of allowable claim 16, and claim 16 was subsequently cancelled. Therefore, claims 1, 3-6 and 9 rejected under §102(e) and claims 10-14 rejected under §103(a) are now allowable. Withdrawal of these rejections is respectfully requested.

OBJECTION TO THE DRAWINGS

The Examiner objected to the drawings under 37 C.F.R. §1.83(a) for not showing an instrument panel or a cavity within an instrument panel. However, Applicants submit that the limitation of "a substantially cylindrical housing shaped to be mounted within a cavity in an instrument panel on the passenger side of a vehicle" is not actually claiming an instrument panel, but a modification of the claimed housing. The language "shaped to be mounted within a cavity

in an instrument panel on the passenger side of a vehicle” modifies the cylindrical housing. The cylindrical housing and its features are clearly shown in the Figures. 37 C.F.R. §1.83(a) states, “The drawing in a nonprovisional application must show every feature *of the invention* specified in the claims.” (emphasis added). Since the invention is a passenger-side airbag restraint module, and not necessarily an instrument panel, the Applicants believe that the instrument panel and cavity need not be illustrated in the drawings.


However, in order to move the pending application toward issuance, Applicants have amended Figure 2 to show the instrument panel (94) and cavity or dashboard interior (93) that the cylindrical housing is shaped to be mounted within. The changes to Figure 2 do not constitute new matter. Support for the changes can be found in the specification in at least page 1, lines 11-13, page 2, lines 2-15, page 2, line 26 to page 3, line 12, page 3, lines 18-26, page 4, lines 5-7, page 4, lines 18-24, page 5, lines 6-8, page 5, lines 13-21, page 10, lines 8-11, and page 10, line 24 to page 11, line 7. Therefore, Applicants respectfully request that Examiner’s objection under 37 C.F.R. §1.83(a) be withdrawn.

CONCLUSION

Applicants respectfully assert that claims 1, 3-15, and 17-31 are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

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Respectfully submitted,


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